

Rejections

Claims 1-4, 9, 10, 13-17, and 20-22 stand rejected under 35 U.S.C. §102(b) as anticipated by Pietsch, German Pat. App.

No. 24 23 790. Applicant respectfully traverses this rejection.

The present invention relates to a tampon formed of a rolled up web of absorbent material and having a removal cord comprising synthetic fibers looped around the web. The tampon is compressed in a manner that essentially pleats the web. The removal cord has an extensibility of greater than about 25 percent. This extensibility is sufficient to prevent damage to the cord during manufacture due to overstressing of the cord during compression.

Pietsch purports to disclose a tampon with a shrinkable retrieval string. The string is shrunk to about 20% of its original length during manufacture to prevent its interference during further processing. Before the tampon is used, the string can be pulled to stretch it back to the original length.

The Office Action indicates that Pietsch teaches a tampon having a removal cord comprising synthetic fibers and that is extensible and that has a two-phase tensile stress-strain curve.

Applicant respectfully points out that the present claims 1 and 14 require that the tampon be formed of a rolled up web with the cord looped around the web. The cord has sufficient extensibility to prevent damage during compression. This is distinct from the teachings of Pietsch. First, Pietsch fails to explicitly disclose a tampon formed of a rolled up web of absorbent material and having a removal cord comprising synthetic fibers looped around the web; the web being pleated during manufacture and the removal cord having an extensibility of greater than about 25 percent to prevent damage to the cord during manufacture. Second, Pietsch only shrinks its string

after application to the tampon material. Therefore, Applicant respectfully submits that Pietsch fails to anticipate the tampon of claims 1-4, 9, 10, 13-17, and 20-22. Reconsideration and withdrawal of this rejection are earnestly solicited.

Claims 10-15 and 18-22 stand rejected under 35 U.S.C. §102(b) as anticipated by Brown et al., US Pat. No. 6,142,984 ("Brown"). Applicant respectfully traverses this rejection.

The present invention is described above. Brown purports to disclose a removal string for tampon pledgets. The string is multi-stranded and formed by crocheting, cabling, braiding, or a combination of these techniques. The filaments of the string can be polyester, polypropylene, polyethylene, rayon or a combination thereof.

The Office Action indicates that Brown discloses a tampon having a removal cord comprising textured synthetic fibers, that the cord may be textured, that the textured fibers inherently cause the cord to have a two-phase tensile stress-strain curve, and that the fibers will inherently go through a phase of elastic deformation before reaching the point of plastic deformation.

Applicant respectfully points out that the present claims 1 and 14 require that the tampon be formed of a rolled up web with the cord looped around the web. The cord has sufficient extensibility to prevent damage during compression. This is distinct from the teachings of Brown. Brown fails to explicitly disclose a tampon formed of a rolled up web of absorbent material and having a removal cord comprising synthetic fibers looped around the web; the web being pleated during manufacture and the removal cord having an extensibility of greater than about 25 percent to prevent damage to the cord during manufacture. Therefore, Applicant respectfully submits that Brown fails to

anticipate the tampon of claims 10-15 and 18-22. Reconsideration and withdrawal of this rejection are earnestly solicited.

Claims 5-8, 11-13, 18, and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Pietsch as applied to claim 1, above, and further in view of Brown. Applicant respectfully traverses this rejection.

The present invention and the Pietsch and Brown references are described above. The Office Action indicates that Pietsch discloses all aspects of the claimed invention and that it fails to disclose the design of the texture. The Office Action then points to Brown for its teaching of textured retrieval strings. The Office then argues that it would have been obvious to one of ordinary skill in the art to construct the removal cord of Pietsch with the texture of Brown to allow for easier use of the tampon.

Applicant respectfully points out that the present claims 1 and 14 require that the tampon be formed of a rolled up web with the cord looped around the web. The cord has sufficient extensibility to prevent damage during compression. As discussed at length above, Pietsch and Brown fail to teach or suggest this invention. Further, Applicant submits that there is no teaching or suggestion in the combination of Pietsch and Brown to overcome this failure. Therefore, Applicant respectfully submits that the combination of Pietsch and Brown fails to render obvious the tampon of claims 5-8, 11-13, 18, and 19. Reconsideration and withdrawal of this rejection are earnestly solicited.

Applicant believes that the foregoing presents a full and complete response to the outstanding Office Action. Applicant

looks forward to an early notice of allowance for this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joel A. Rothfus', written over a horizontal line.

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August 1, 2002

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J&J-1796
Appl. No. 09/673,185

VERSION WITH MARKINGS TO SHOW CHANGES MADE

The amended claims are reproduced below, identifying the changes made.

1. (Amended) A tampon comprising a rolled up web of absorbent material having a removal cord comprising synthetic fibers looped around the web, wherein the tampon is compressed in a manner that essentially pleats the web and the removal cord has an extensibility of greater than about 25 percent to prevent damage to the cord during manufacture.

14. (Amended) A tampon comprising a rolled up web of absorbent material having a removal cord comprising synthetic fibers looped around the web, wherein the tampon is compressed in a manner that essentially pleats the web and the removal cord has a two-phase, tensile stress-strain curve having an inflection point between a first and a second phase to prevent damage to the cord during manufacture.

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